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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/043,326	01/14/2002	Laurent Roulet	Q68075	6676
23373	7590	11/15/2005	EXAMINER	
SUGHRUE MION, PLLC 2100 PENNSYLVANIA AVENUE, N.W. SUITE 800 WASHINGTON, DC 20037			LIOU, JONATHAN	
			ART UNIT	PAPER NUMBER
			2663	

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

10/043,326

Applicant(s)

ROULLET ET AL.

Examiner

Jonathan Liou

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 01/14/2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-6 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 January 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)               | Paper No(s)/Mail Date. _____  |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                                    |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1 and 4 is rejected under 35 U.S.C. 102(b) as being anticipated by Lee (US Pat. No. 5,574,720.)

3. As per claims 1 and 4, Lee teaches a relay and a method for use in telecommunications equipment (**Fig. 3 could be a relay system for use in telecommunications equipment. See Fig. 3, Lee.**), said comprising:

a receiver (R) adapted to receive an information stream consisting of information cells, some of which can be empty, (**Input Cell Classification Processor 21 receives an information stream consisting of information cell. The real time cell would go to cell processor 22. The stand-by cell would go to process after standby type cell processor 23. See Fig. 3, Lee In addition, Input Cell Classification Processor 21 receives the cell information include cell loss priority information, which could include the empty and nonempty cells in general. See col 2, lines 1-8, Lee.**)

a mixer (M) adapted to detect the empty information cells and replace them with waiting cells, and (**the process-after-standby type cell processor 23 checks whether a cell buffer of the cell temporary storage device is in an empty state. If**

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it is, the processor 23 passes the input cell, which is standby cell. See col 5, lines 37-43, Lee.)

a transmitter (E) adapted to transmit the information cells to a receiver outside said telecommunications satellite (a cell output processor 19 transferring output cells to the network node interface means 4. See Fig. 2-3. The network node interface means could be a receiver outside telecommunications satellite.), which relay is characterized in that it further comprises a stream analyzer (A) for determining if an information stream received by said receiver is a real-time information stream or a differed-time information stream and for storing differed-time information stream cells in a mass memory (MM) and in that said mixer is adapted to choose said waiting cells from among the cells stored in said mass memory (The classifier 12, could be interpreted as a stream analyzer, determined if received stream is a real-time information or a standby (differed-time) information. The distributor 16, could be interpreted as a mass memory, and stored the incoming standby cell from input cell classification processor 21. The process-after-standby type cell processor 23 would take the output from distributor as the waiting cell for the empty cell. See Fig. 3 and col 4, lines 50-61, Lee.)

4. As per claims 2 and 5, Lee teaches a deleter (D) for deleting an information cell stored in said mass memory when it has been sent by said transmitter to said receiver (Lee teaches the process-after-standby type cell processor 23 outputs a cell previously stored in the cell buffer and stores the input cell in the cell buffer. See

**col 5, lines 46-48, Lee. In order to store new cell stream, the data must be cleared/deleted after a cell is outputted.)**

5. As per claims 3 and 6, Lee teaches the mixer is adapted to choose said waiting cells as a function of time scheduling rules (**Lee teaches the input cell of processor 23 is under first-in-first-out process, and Lee also teaches choosing the input cell of processor 23 to the empty cell. By first-in-first-out process, Lee teaches choosing waiting cells as a function of time scheduling rules. See col 4, lines 4-7, and col 5, lines 37-43, and Fig. 3, Lee.**)

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jonathan Liou whose telephone number is 571-272-8136. The examiner can normally be reached on 8:00AM - 5:00PM Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ricky Ngo can be reached on 571-272-3139. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Jonathan Liou

11/08/2005

  
RICKY NGO  
PRIMARY EXAMINER